

Remarks

Reconsideration of this patent application is respectfully requested, particularly as herein amended.

The Office Action of March 13, 2008, first objects to the specification, presenting guidelines for the preferred layout of the specification of a utility patent application, and requiring proper antecedent basis for the term "pear" which was recited in dependent claim 3 of the application (citing 37 C.F.R. §1.75(d)(1) and Section 608.01(o) of the Manual of Patent Examining Procedure).

A substitute specification has been submitted for this patent application which includes appropriate section headings and which makes various grammatical corrections resulting from translation of the original specification from French into English when steps were taken to enter the U.S. national stage of the International Application on which the present U.S. patent application is based.

A marked-up copy of the original specification showing the changes which have been made in the substitute specification has also been enclosed, on separate pages, in accordance with the requirements of 37 C.F.R. §1.125(c). The substitute specification includes no new matter, and entry of the substitute specification is therefore respectfully requested in accordance with 37 C.F.R. §1.125(b).

Also presented with this Reply is an amended title and an amended Abstract for this patent application. The amended Abstract has been reproduced on a separate sheet enclosed with this Reply, in accordance with the requirements of 37 C.F.R. §1.72(b), and entry of the amended Abstract is respectfully requested, in addition to entry of the amended title.

The Office Action of March 13, 2008, next objects to claims 4 to 7 under 37 C.F.R. §1.75(c), as being in improper multiple dependent form, rejects claim 3 under 35 U.S.C. §112, first paragraph, because the term "pear" used in claim 3 is not considered to be appropriately described in the specification, and rejects claims 1 to 3 under 35 U.S.C. §112, second paragraph, because the claims are considered to be indefinite for stated reasons.

Applicant's claims 1 to 7 have been canceled and replaced with claims 8 to 19. All multiple dependencies have been removed from the newly presented claims, and the term "pear" which was previously used in dependent claim 3 has been replaced with the term "bulb" (in newly presented claims 14 and 15), corresponding to the "bulb 10" which was originally used in the specification submitted when steps were taken to enter the present U.S. patent application into the U.S. national stage, on July 17, 2006. It is submitted that newly presented claims 8 to 19 overcome the stated objection to claims 4 to 7 under 37 C.F.R. §1.75(c), as well as the stated rejections of claims under 35 U.S.C. §112, first and second paragraphs. In the event that

any additional issues are identified which may require further consideration, the Examiner is invited to telephone the undersigned to discuss and resolve such issues.

It is further submitted that deletion of the term "pear" from former dependent claim 3 also serves to overcome the objection to the specification under 37 C.F.R. §1.75(d)(1) and Section 608.01(o) of the Manual of Patent Examining Procedure, overcoming all stated objections to the specification and to the form of the claims.

The Office Action of March 13, 2008, next rejects claims 1 to 3 under 35 U.S.C. §102(b) as being anticipated by DE 29 22 656 (Stettner & Co.; Messerschmidt, Wilfried), two U.S. Patents to Pedersen (US 6,491,244) and Millerd (US 6,616,075) and a U.S. Patent Application Publication, No. US 2004/0124294 (Ng).

As previously indicated, original claims 1 to 7 have been canceled and replaced with new claims 8 to 19, which have been drafted to better comply with the requirements of 35 U.S.C. §112, first and second paragraphs, and 37 C.F.R. §1.75. It is submitted that this also serves to overcome the stated rejections of claims under 35 U.S.C. §102(b).

DE 29 22 656 describes a mill for grinding grain which functions horizontally, much like a meat grinder. The conveyor spiral (3) of the mill, which is an optional component (noting line 3 of the English language abstract), operates to push the food product to be ground toward the grinding unit (5, 6). This is to be distinguished from the screw of applicant's mill, which

operates to break up the seasoning to be ground so the seasoning can drop into the grinder.

Pedersen discloses a mill comprised of two independent chambers (26, 28) for grinding two different condiments (30, 32) received within the chambers. The only "screw" associated with the shaft (86) of Pedersen are the "screw threads" associated with the top (at 110) and bottom (for receiving the nut 92) of the shaft (86). No structure is disclosed for operating on either of the condiments (30, 32) contained within the chambers (26, 28), to break up the condiments so they can drop into the grinding mechanism comprised of the grinding sleeve (44), the grinding block (90) and the grinding ring (100).

Millerd discloses a mill intended for use with nutmeg. Noting lines 35 to 54 of column 4, helical ribs (150) associated with the post (110) of the mill operate to reduce the size of the nutmeg fragments as they travel down toward the base (100) of the mill. Consequently, the helical ribs (150) constitute the grinder of the disclosed mill, and direct the ground nutmeg toward dispensing apertures (160) provided in the base (100). Once again, this is to be distinguished from the screw of applicant's mill, which operates to break up the seasoning to be ground so the seasoning can drop into the grinder.

Ng discloses a pepper grinder. Noting paragraphs [0034] and [0035], the disclosed grinder has a shaft (310) for operating a grinding mechanism (300) located at the bottom of the grinder, and a bracket (320) coupled with the grinding mechanism

(300) for supporting the shaft (310). Consequently, the shaft (310) of the disclosed pepper grinder does not incorporate a screw for interacting with the pepper received in the bottle (100) of the pepper grinder. The bracket (320) is fixed in positioned between the top ring (330) and the female member (370) of the grinding mechanism (300), and is not free to rotate. The screw threads (343, 351) disclosed from paragraph [0043] to [0046] operate to connect the base ring (340) and the positioning ring (350) of the grinding mechanism (300) together, and do not interact with the pepper to be ground. Consequently, and once again, this is to be distinguished from the screw of applicant's mill, which operates to break up the seasoning to be ground so the seasoning can drop into the grinder.

It is, therefore, submitted that the various devices disclosed by DE 29 22 656, Pedersen, Millerd and Ng function in a manner which is entirely different from the structure recited in applicant's claims, and that applicant's claims 8 to 19 are not subject to rejection under 35 U.S.C. §102(b) based on DE 29 22 656, Pedersen, Millerd or Ng.

In view of the foregoing, it is submitted that this patent application has been placed in condition for allowance and corresponding action is earnestly solicited.

Respectfully submitted,



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